

ASSEMBLY BILL

No. 1259

Introduced by Assembly Member Levine

February 27, 2015

An act to add Chapter 4.5 (commencing with Section 8305) to Division 1 of Title 2 of the Government Code, relating to pesticides.

LEGISLATIVE COUNSEL'S DIGEST

AB 1259, as introduced, Levine. Pesticides: neonicotinoids: planting on state-owned or state-managed lands: prohibition.

Existing law generally regulates pesticide use, and requires the Director of Pesticide Regulation to endeavor to eliminate from use any pesticide that endangers the agricultural or nonagricultural environment. Existing law requires pesticides to be registered by the Department of Pesticide Regulation. Existing law requires that a pesticide be thoroughly evaluated prior to registration, provides for the continued evaluation of registered pesticides, and requires the department, by July 1, 2018, to issue a determination with respect to its reevaluation of neonicotinoids. Existing law requires the department, within 2 years after making this determination, to adopt any control measures necessary to protect pollinator health.

This bill would prohibit plants or seeds that have been treated with a neonicotinoid pesticide from being planted on state-owned or state-managed lands, as described. This bill would also prohibit plants on state-owned or state-managed lands from being treated with a neonicotinoid pesticide.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares as follows:

(a) Bees and other pollinators are critical to agricultural production and native ecosystems. Bees pollinate billions of dollars of agricultural crops in the United States, including many of California's most important agricultural crops.

(b) Bees are at significant risk of harm due to a condition known as Colony Collapse Disorder (CCD). In the United States alone, more than 25 percent of the managed bee population has disappeared since 1990 and the number of hives is at its lowest number in 50 years. CCD and the loss of bees is a significant threat to our state and national food supply and economic security.

(c) While there is no single cause of CCD, a substantial and growing body of evidence points to neonicotinoid pesticides as a likely factor in bee colony collapse. Neonicotinoid pesticides are absorbed into plant tissue, do not discriminate between target and nontarget insect species, and are harmful to bees, butterflies, and other beneficial insects.

(d) The state has recognized the importance of protecting bees by encouraging placement of bee hives on state lands such as wildlife areas managed by the Department of Fish and Wildlife.

(e) Monarch butterflies, another important native pollinator, are also severely threatened by loss of native milkweed upon which they depend, loss of wintering habitat in California, pesticides, and other factors. Monarch populations are in rapid decline. According to the annual census taken at the monarch's wintering grounds in Mexico in 2013, the monarch population dropped by 59 percent compared to the prior year's census, bringing the monarch's numbers to the smallest registered population in almost two decades.

(f) Vegetation maintained on lands managed by the state, such as along roadways and utility rights-of-way, could help provide beneficial habitat for bees, monarch butterflies, and other pollinators if properly managed.

(g) The state should exercise caution when exposing bees and other pollinators to plants that may harm them, especially on state lands that may be utilized by bees.

SEC. 2. Chapter 4.5 (commencing with Section 8305) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 4.5. PLANTING ON STATE-OWNED OR
STATE-MANAGED LANDS

8305. For the purposes of this chapter:

(a) “State-owned or state-managed lands” include, but are not limited to, roadside lands owned and maintained by the Department of Transportation, wildlife areas managed by the Department of Fish and Wildlife, parklands managed by the Department of Parks and Recreation, and wildlife habitat lands owned or managed by a state conservancy.

(b) “Treated” includes foliar and granular treatments, in addition to seed coatings.

8306. (a) Plants or seeds that have been treated with a neonicotinoid pesticide shall not be planted on state-owned or state-managed lands.

(b) Plants on state-owned or state-managed lands shall not be treated with a neonicotinoid pesticide.